

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
§
vs. § Case No. 4:04cr39
§ (Judge Schell)
QUENTIN ANDREW MITCHELL §

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Pending before the Court is the request for revocation of Defendant's supervised release.

After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on August 5, 2014, to determine whether Defendant violated his supervised release.

On October 27, 2004, Defendant was sentenced by the Honorable Richard A. Schell to one hundred and twenty (120) months' custody followed by three (3) years of supervised release for the offense of Felon in Possession of a Firearm. On April 1, 2013, Defendant completed his period of imprisonment and began service of his supervised term.

On June 17, 2014, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated various mandatory, standard, and special conditions.

Prior to the Government putting on its case, Defendant entered a plea of true to allegation four and five. Based upon a plea of true, the Government agreed to dismiss allegations one, two, three, six, and seven. The Court recommends that Defendant's supervised release be revoked.

RECOMMENDATION

The Court recommends that the District Judge revoke Defendant's supervised release. Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant be committed

to the custody of the Bureau of Prisons to be imprisoned for a term of twelve (12) months and one day with no supervised release to follow. It is also recommended that Defendant be housed in the Bureau of Prisons, Texarkana Unit.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

SIGNED this 11th day of August, 2014.



Amos L. Mazzant
AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE